

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PCC STRUCTURALS, INC.

Employer

and

Case 19-RC-202188

INTERNATIONAL ASSOCIATION OF
MACHINISTS & AEROSPACE WORKERS,
AFL-CIO, DISTRICT LODGE W24

Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Supplemental Decision is denied as it raises no substantial issues warranting review.¹

¹ On December 15, 2017, the Board issued an Order Granting Review and Remanding in *PCC Structurals, Inc.*, 365 NLRB No. 160 (2017), overruling its prior unit-determination standard and announcing that it would "return[] to the traditional community-of-interest standard that [it] has applied throughout most of its history." Id., slip op. at 7. The Board remanded the case to the Region for further appropriate action, including reopening the record, if necessary, and analyzing the appropriateness of the petitioned-for unit under the standard articulated there. Id., slip op. at 13. On remand, the Regional Director relied on both the Board's craft-unit case law and the community-of-interest analysis reaffirmed in the underlying decision to find that the petitioned-for unit is appropriate for bargaining.

In denying review, a Board majority (Members McFerran and Kaplan) finds that the petitioned-for rework welders, rework specialists, and crucible repair welder share a community of interest sufficiently separate from excluded employees to constitute a unit appropriate for bargaining. A separate majority (Members McFerran and Emanuel) agrees with the Regional Director that the petitioned-for welders are skilled journeymen craftsmen and that the petitioned-for unit is appropriate for bargaining as a craft unit. In so finding, Member Emanuel notes that unit welders are trained and tested for certification pursuant to standards established by the National Aerospace and Defense Contractors Accreditation Program (NADCAP); that NADCAP audits the operation and its compliance with the testing standards; that welding certification test plates are sent to outside labs for review; and that welders must recertify every 2-3 years on the metals and processes used in their work.

The Regional Director cited several craft-severance cases, including *Hughes Aircraft Co.*, 117 NLRB 98 (1957); *Lockheed Aircraft Corp.*, 121 NLRB 1541 (1958); *North*

LAUREN McFERRAN,	MEMBER
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

Dated, Washington, D.C., November 28, 2018.

American Aviation, 162 NLRB 1367 (1967); and *Anheuser-Busch, Inc.*, 170 NLRB 46 (1968). Although this case does not involve severance issues or all the considerations that those issues raise, we find the discussions in *Hughes Aircraft*, above, and *C F Braun & Co.*, 120 NLRB 282 (1958), on the distinction between skilled craft and non-craft welders to be instructive. We note also that the petitioned-for welders here perform work in the aircraft industry and on military applications similar to the craft welders in, e.g., *Hughes Aircraft*, above.

For the reasons stated by the dissent in the first *PCC Structural*s decision, cited above, Member McFerran adheres to her position that the Board majority incorrectly overruled the unit determination standard set forth in *Specialty Healthcare*. 357 NLRB 934 (2011). She would also find the unit appropriate under the *Specialty Healthcare* standard.